



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Acting Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT PLANNING AND DEVELOPMENT**

Application Number: 3003829
Applicant Name: Michael Hoffman
Address of Proposal: 1350 Alki Avenue SW

SUMMARY OF PROPOSED ACTION

Shoreline Substantial Development Permit to establish the use for future construction of a five-story, ten-unit residential building in an environmentally critical area. Covered surface parking for 16 vehicles to be provided. Project included 150 cubic yards of grading. Existing structure to be demolished under separate permit.

The following approvals are required:

Shoreline Substantial Development - To allow multi-family residences in an Urban Residential (UR) Environment. (SMC 23.60.546.a.1)

SEPA - Environmental Determination - Chapter 25.05 SMC

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☐ DNS involving non-exempt grading or demolition, or
 involving another agency with jurisdiction.

BACKGROUND DATA

Site Description

The proposal site is located on Alki Point at the foot of the Duwamish Head Greenbelt. The site is approximately 7,160 square feet. The site is developed with a single family residence that is slated for demolition. The proposal site has approximately 59 linear feet of frontage along Alki Avenue SW, which at this location is a paved, two lane arterial. The street is improved with

sidewalks on both sides of the street with a designated 12-foot wide bicycle/jogging path along the north side of the street right-of-way, opposite the project site.

The topography of the subject property is relatively level ground at the north end adjacent to Alki Avenue SW and has an ascending grade which is the base of a steeply sloped hillside. The abutting hillside has slopes that exceed 40 percent and is classified as an environmentally critical area due to steep slopes, potential slide area, and wildlife habit area. Existing vegetation on the subject property is typical residential landscaping while the abutting hillside is densely covered with a mix of deciduous and evergreen trees and other typical native and non-native undergrowth.

The subject property is zoned Midrise (MR) with a maximum height limit of 60 feet. The property is located within 200 feet of Puget Sound and is within an Urban Residential (UR) shoreline environment.

Vicinity Description

Development in the immediate neighborhood is in transition with older single family beach cottages being replaced by multi-story apartment buildings. Both of the abutting properties to the east and west have been developed with multifamily buildings. Alki Point provides recreational amenities for both the region and the surrounding neighborhood. The steep hillside that abuts the subject property to the south is part of the Duwamish Head Greenbelt that extends for several hundred feet to the east and south. The greenbelt itself is undeveloped and zoned Greenbelt (GB 7200) while the ridge line is zoned Single Family (SF 5000) and is developed with single family residences.

Proposal Description

The applicant proposes to construct a five-story multi-family building containing ten units and 16 parking spaces. The pedestrian entry to the building is located near the center of the front façade facing Alki Avenue. Access to the parking is from one (1) curb cut off Alki Avenue SW. Street trees and landscaping would be provided in the front, rear, and side yards.

Public Comment

One comment letter was received during the official public comment period which ended on January 13, 2006. The commenter asked that careful review of the eca disturbance be conducted.

Environmentally Critical Areas Information

As required by Director's Rule 3-93, a geotechnical report of the project site dated November 15, 2005 was prepared by Earth Consultants, Inc. The DPD geotechnical engineer, upon review of the report, concluded that the soil report met the requirement of Director's Rule 3-93.

ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The project site is classified as an upland lot and is located within an Urban Residential shoreline environment. In order to obtain a Shoreline Substantial Development Permit, the applicant must

show that the proposal is consistent with the shoreline policies established in SMC 23.60.004, meets the criteria for substantial development permits established in SMC 23.60.030, and meets the procedural criteria established in SMC 23.60.064. Thus, the Director must determine that the proposed use is consistent with the applicable policies of the Shoreline Master Program and the general policies established in Chapter 90.58 RCW and that it is an allowed shoreline use that meets the development standards for the underlying zone as well as the general development standards for all shoreline environments established in SMC 23.60.150. The proposal is also subject to the specific development standards established in the Urban Residential shoreline environment (SMC 23.60.570 through 23.60.578).

SMC 23.60.004 - Shoreline Policies

The Shoreline Implementation Guidelines, together with Shoreline Goals and Policies, constitute the shoreline element of the Land Use Policies, and are referred to in Seattle's Comprehensive Plan. The proposed multi-family project is consistent with the shoreline policies. The structure would be located in an area zoned for multi-family development on an upland lot separated from the shore by public right-of-way (Alki Avenue SW) and existing pedestrian improvements. Because of the steepness of the slope and the height of the adjacent hillside, no view blockage would occur along the ridgeline of the adjacent Duwamish Head steep slope. The proposal would provide residential views of Puget Sound for ten (10) new residential units. The proposal is also consistent with adopted multi-family policies, which generally state that new development should be compatible with the neighborhood character and increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need.

Shoreline Development Permit Required

Section 23.60.030 of the Seattle Municipal Code provides criteria for review of a shoreline substantial development permit and reads: "A substantial development permit shall be issued only when the development proposed is consistent with:"

- A. The policies and procedures of Chapter 90.58 RCW;
- B. The regulations of this Chapter; and
- C. The provisions of Chapter 173-27 WAC.

Conditions may be attached to the approval of a permit, as necessary, to assure consistency of the proposed development with the Seattle Shoreline Master Program and the Shoreline Management Act.

A. The Policies and Procedures of Chapter 90.58 RCW

Chapter 90.58 RCW is known as the Shoreline Management Act of 1971. It is the policy of the State to provide for the management of the shorelines of the State by planning for and fostering all reasonable and appropriate uses. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the State and their aquatic life, while protecting public rights of navigation and corollary incidental rights. Permitted uses in the shorelines shall be designed and conducted in a manner to minimize,

insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

The Shoreline Management Act provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on insuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle and other jurisdictions with shorelines, adopted a local shoreline master program, codified in the Seattle Municipal Code at Chapter 23.60, that also incorporates the provisions of Chapter 173.27 WAC. Development on the shorelines of the State is not to be undertaken unless it is consistent with the policies and provisions of the Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions. As the following analysis will demonstrate, the subject proposal is consistent with the procedures outlined in RCW 90.58.

Construction of the multi-family structure would be consistent with the procedures of Chapter 90.58 RCW and the provisions of Chapter 173-14 WAC in terms of encouraging a use allowed and anticipated for the Urban Residential shoreline environment and minimizing the entry of pollutants into the water. The construction itself would not adversely affect the shoreline environment and the siting of the structure would not be in a sensitive area of the site thereby protecting migratory fish routes.

Chapter 23.60 of the Seattle Municipal Code is known as the "Seattle Shoreline Master Program" and is also a part of the City's Land Use Code. In evaluating requests for substantial development permits, the Director must determine that a proposed use meets the approval criteria set forth in SMC 23.60.030 (cited above). Development standards of the shoreline environment and underlying zone must be considered, and a determination made as to any special requirements (shoreline conditional use, shoreline variance, or shoreline special use permit) or conditioning that is necessary to protect and enhance the shorelines area (SMC 23.60.064). In order to obtain a shoreline substantial development permit, the applicant must also show that the proposal is consistent with the shoreline policies established in SMC 23.60.004, which are found in the Seattle Comprehensive Plan and the purpose and locational criteria for each shoreline environment. The proposal must also meet: the criteria and development standards for the shoreline environment in which the site is located; any applicable special approval criteria; general development standards; and the development standards for specific uses.

The subject property is classified as an upland lot and is located within an Urban Residential (UR) shoreline environment. The proposed multi-family structure is a permitted use in the UR shoreline environment. The proposed structure would comply with the development standards as described below.

B. The Regulations of Chapter 23.60

Chapter 23.60 of the Seattle Municipal Code is known as the "Seattle Shoreline Master Program". In evaluating requests for substantial development permits, the Director must determine that a proposed use meets the approval criteria set forth in SMC 23.60.030 (cited above). Development standards of the shoreline environment and underlying zone must be

considered, and a determination made as to any special requirements (shoreline conditional use, shoreline variance, or shoreline special use permit) or conditioning that is necessary to protect and enhance the shorelines area (SMC 23.60.064). In order to obtain a shoreline substantial development permit, the applicant must show that the proposal is, consistent with the shoreline policies established in SMC 23.60.004, and meets the development standards for all shoreline environments established in SMC 23.60.150, as well as the criteria and development standards for the shoreline environment in which the site is located; any applicable special approval criteria; and the development standards for specific uses.

1) Development Standards

General development standards for all environments (SSMP 23.60.152) and for the UR environment (SSMP 23.60.540)

The existing and proposed use is by definition a multi-family use which is allowed outright on both upland and waterfront lots in the UR environment. The proposal must conform to the general standards for all environments (SSMP 23.60.152) and the physical development standards for uses in the UR environment (SSMP 23.60.540).

General development standards (Section 23.60.152 SSMP) state that Best Management Practices shall be followed for any development in the shoreline environment. These measures are required to prevent contamination of land or water. They require that design and construction of all uses be conducted in an environmentally sound manner, consistent with the Shoreline Management Program and with best management practices for the specific use or activity. All shoreline development and uses must: 1) minimize adverse impacts and protect fish and wildlife habitat conservation areas; 2) minimize and control any increases in surface water runoff so that receiving water quality and shore properties are not adversely affected; 3) be located, designed, constructed, and managed in a manner that minimizes adverse impacts to surrounding land and water uses and is compatible with the affected area; and 4) be located, constructed, and operated so as not to be a hazard to public health and safety. Because of the extent of the proposed earthwork associated with pier construction, the potential exists for impacts to Puget Sound during construction. City regulations require application of construction best management practices (BMPs) outlined in Director's Rule 6-93, which will provide adequate protection of the shoreline.

The proposal, as conditioned, would not adversely affect the quality and quantity of surface and ground water on and adjacent to the site on a long-term basis; no planned discharge of solid wastes would occur (debris waste will be trucked away); spillage of petroleum products must be avoided and contained should it occur; no intentional release of oil, chemicals, or other hazardous materials shall occur; surface runoff would not be adversely affected; permeable surfaces would not be affected; erosion would not result from the development; fish and wildlife resources would not be altered; natural shoreline processes would not be adversely affected; no long-term adverse impacts to surrounding land and water uses would occur; no hazard to public safety or health is posed by this development. Navigation channels would be kept free of hazardous or obstructing development or uses; and no submerged public right-of-way or view corridors would be significantly affected. All debris and other waste shall be disposed-of in such a way as to prevent entry into Puget Sound. In order to minimize adverse noise and parking

impacts during construction, the applicant will be required to limit the hours of construction and provide construction parking on-site as soon as possible.

These existing conditions ensure that the project conforms to the goals and regulations of the Seattle Shoreline Master Program. The public interest suffers no substantial detrimental effect from the proposal. The long-term environmental effect of the project is expected to be beneficial. (The proposal is subject to the standards established in the Stormwater, Grading, and Drainage Control Code, which include provisions for erosion and sedimentation control both during construction and after occupancy of the building, thereby minimizing any adverse impact to water quality.)

Development Standards for the UR environment - Section 23.60.540 - 23.60.578 SSMP

Development Standards for the UR environment are discussed below and all shoreline development standards are met.

SSMP 23.60.540 Uses Permitted Outright on Waterfront Lots in the UR Environment

Multi-family structures such as the proposed ten unit structure are permitted outright in the UR environment.

SSMP 23.60.572 Height

The proposed structure would not exceed the height limit.

SSMP 23.60.574A4 Lot Coverage

The proposed structure meets lot coverage requirements.

SSMP 23.60.576 View Corridors in the UR Environment

View corridors are not required for upland lots such as the project lot.

SSMP 23.60.578 Regulated Public Access in the UR Environment

Sections 23.60.160 and 23.60.200E SSMP describes the general development standards for public access. However, public access is not required because the project site is an upland lot. Furthermore, several public access and recreational opportunities are available in designated park areas on the water ward side of Alki Ave. SW.

SMC 23.60.004 - Shoreline Policies

The Shoreline Goals and Policies which are part of the Seattle Comprehensive Plan's Land Use Element and the purpose and locational criteria for each shoreline environment designation contained in SMC 23.60.220 must be considered in making all discretionary decisions in the shoreline district. The policies support and encourage the establishment of multi-family structures in the UR shoreline environment.

The proposed multi-family site is classified as an upland lot (SMC 23.60.924) and is a permitted use in the Urban Residential (UR) environment (SMC 23.60.546.A.1). The proposal is also

subject to the specific development standards established in the Urban Residential (UR) shoreline environment (SMC 23.60.570 - .578).

SMC 23.60.004 - Shoreline Policies

The Shoreline Goals and Policies which are part of the Seattle Comprehensive Plan's Land Use Element and the purpose and locational criteria for each shoreline environment designation contained in SMC 23.60.220 must be considered in making all discretionary decisions in the shoreline district. The policies support the establishment of non-water dependent uses on upland lots when they complement uses on adjacent waterfront lots. (please refer to Shoreline Use, Policy L164.B) The area objectives for Puget Sound (please refer to Policy L200.A.1) encourage the protection of areas developed for residential use in a manner consistent with Multi-family Residential Area Policies.

The purpose of the UR environment as set forth in SMC 23.60.220.C.6, also, is intended to protect residential areas in a manner consistent with the Single family and Multi-family Residential Area Policies. These multi-family policies, in turn, have objectives that include ensuring that new development is compatible with the neighborhood character and ensuring adequate capacity for future housing need.

The proposed condominium project would provide five additional units in a transitional multi-family neighborhood. The structure would be constructed in a manner consistent with the underlying multi-family zoning and in character with surrounding new multi-family development. The resulting residential units would have views of Puget Sound and future occupants would benefit from direct access to shoreline public access features available along this portion of Alki Avenue SW. The proposal is supported by both the purpose of the UR shoreline environment and the policies set forth in the Land Use Element of the Comprehensive Plan.

SMC 23.60.064 - Procedures for Obtaining Shoreline Substantial Development Permits

The proposed condominium project is a permitted use in the UR environment (SMC 23.60.540) and the underlying Midrise Residential (MR) zoning district. As designed, the proposal conforms to the general development standards and the requirements of the underlying residential zone.

SMC 23.60.152 - Development Standards for all Environments

These general standards apply to all uses in the shoreline environments. They require that design and construction of all uses be conducted in an environmentally sound manner, consistent with the Shoreline Management Program and with best management practices for the specific use or activity. All shoreline development and uses must: 1) minimize and control any increases in surface water runoff so that receiving water quality and shore properties are not adversely affected; 2) be located, designed, constructed, and managed in a manner that minimizes adverse impacts to surrounding land and water uses and is compatible with the affected area; and 3) be located, constructed, and operated so as not to be a hazard to public health and safety.

The proposed residential use is consistent with these general standards for development within the shoreline area. The proposal is subject to the standards established in the Stormwater, Grading, and Drainage Control Code which include provisions for erosion and sedimentation control both during construction and after occupancy of the building, thereby minimizing any adverse impact to water quality.

SMC 23.60.570 - Development Standards for the UR Environment

Development standards in a UR environment under certain circumstances include height limits, lot coverage, view corridors and public access. The proposal meets the maximum height established for multi-family development. The proposal is down slope from adjacent residential property, so no views would be blocked and no view corridor is required to be established. Since the proposal is located in a developed urban area with considerable public access and recreational opportunities available, no additional public access to the shore would be required.

C. The Provisions of Chapter 173-27 WAC

WAC 173-27 establishes basic rules for the permit system to be adopted by local governments, pursuant to the language of RCW 90.58. It provides the framework for permits to be administered by local governments, including time requirements of permits, revisions to permits, notice of application, formats for permits, and provisions for review by the State's Department of Ecology (DOE). Since the Seattle Shoreline Master Program has been approved by DOE, consistency with the criteria and procedures of SMC Chapter 23.60 is also consistent with WAC 173-14 and RCW 90.58. As discussed in the foregoing, the proposal is consistent with the criteria for a shoreline substantial development permit and may be approved.

DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT

The Shoreline Substantial Development permit is **GRANTED**.

ANALYSIS - SEPA

The proposal site located in a landslide-prone and steep slope critical area, thus the proposed construction of 5-story, residential building containing 10 residential units is not exempt from SEPA. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigating measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

The initial disclosure of the potential impacts from this project was made by the environmental checklist submitted November 15, 2005 and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The overview policies states, in part *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,”* subject to some limitations. Under such limitations/circumstances (SMC 25.05.665), mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) demolition and construction activities could result in the following adverse impacts; 2) construction dust and storm water runoff, temporary soil erosion, emissions from construction machinery and vehicles, increased particulate levels during excavation and construction, increased noise level, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers’ vehicles. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation (SDOT). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

The other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation or discussion.

Earth Impacts

The subject property is designated as a steep slope, both a potential and known slide area, and a liquefaction-prone area in the Environmentally Critical Areas (ECA) maps. According to City records, landslides have occurred on several properties located close to the proposal along Alki Avenue SW. The subject site is generally level from the street to the toe of the steep slope.

The applicant has submitted a Geotechnical Engineering Study addressing soil foundation support considerations, site preparation, grading erosion control and drainage recommendations. The report indicated that the site is geotechnically suitable for the development of the proposed apartment and that the risk of damage to the development or adjacent properties from soil instability will be minimal. The proposed development would not increase the potential for soil movement.

Review of the submitted report and approval of the resultant plans and construction methods will be subject to the standards of the Stormwater, Grading, and Drainage Control Code, as well as the Environmentally Critical Area Ordinance. No further mitigation for the purposes of SEPA compliance is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

Traffic and Parking

The proposed 10-unit building development would generate approximately 65 daily vehicle trips (at 6.5 vehicle trips per pay). Alki Avenue SW is a moderately used arterial that has adequate capacity to absorb the additional vehicle trips. The street is also served by Metro transit.

Proposed on-site parking of 16 spaces exceeds zoning code requirements (at 1.5 stalls per unit) and should be adequate to accommodate average parking demand on the property. It is not anticipated that the resulting traffic or parking demand would adversely affect the existing street system. No mitigation is warranted.

Archaeology

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Historic Preservation Policy (SMC 25.05.675 H) allows the reviewing agency to mitigate impacts associated with a potentially significant archaeological site. Maps on file at DPD indicate that the subject site is within 200 feet of the US Government Meander Line. Since excavation is proposed, pursuant to SEPA and Director's Rule 2-98, conditioning will be required to mitigate adverse impacts to any inadvertently discovered archaeologically significant resource.

Other long-term impacts are typical of a multi-family development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption); and the Environmentally Critical Area Regulations.

DECISION - SEPA

The decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS – SHORELINES

None.

CONDITIONS – SEPA

Prior to Issuance of Master Use Permits

1. The owner and/or responsible parties shall provide DPD with a statement, that the contract documents for their general excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCE, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

During Building Demolition, Site Work and Building Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

2. The owner's and/or responsible party(s) shall:
3. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD to adequately evaluate the request.
4. An archaeologist must be on site to observe ground excavation.

5. If resources of potential archaeological significant are encountered during construction or excavation, the owner and/or responsible parties shall:
- Stop work immediately and notify DPD (Holly Godard 615-1254) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP), Stephanie Kramer (360) 586-3083. The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archaeological resources shall be followed.
 - Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.23, 27.53, 27.44, 79.01, and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Signature: (signature on file) Date: September 21, 2006
Holly J. Godard, Land Use Planner
Department of Planning and Development

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